

AN ORDINANCE 2006-02-23-0260

**AMENDING THE OFFICIAL ZONING MAP OF THE CITY
OF SAN ANTONIO BY AMENDING CHAPTER 35, UNIFIED
DEVELOPMENT CODE, SECTION 35-304, OF THE CITY
CODE OF SAN ANTONIO, TEXAS BY CHANGING THE
ZONING DISTRICT BOUNDARY OF CERTAIN PROPERTY.**

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WHEREAS, a public hearing was held regarding this amendment to the Official Zoning Map at which time parties in interest and citizens were given an opportunity to be heard; and

WHEREAS, the Zoning Commission has submitted a final report to the City Council regarding this amendment to the Official Zoning Map of the City of San Antonio; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Chapter 35, Unified Development Code, Section 35-304, Official Zoning Map, of the City Code of San Antonio, Texas is amended by changing the zoning district boundary of the west 45 feet of Lot 5, Block 8, NCB 8777, and that portion of Lot 18, Block 8, NCB 8777 located North of the New Laredo Highway, from "C-3" General Commercial District to "RM-4" (CD-Five Dwellings) Residential Mixed District with a Conditional Use for Five Dwellings.

SECTION 2. The City Council finds as follows:

- A. The conditional use will not be contrary to the public interest.
- B. The conditional use will not substantially nor permanently injure the appropriate use of adjacent conforming property in the same district.
- C. The conditional use will be in harmony with the spirit and purpose for conditional uses as set forth in Section 35-422, Conditional Zoning, of the Unified Development Code.
- D. The conditional use will not substantially weaken the general purposes of the regulations as set forth in Section 35-422, Conditional Zoning, of the Unified Development Code.
- E. The conditional use will not affect adversely the public health, safety and welfare.

SECTION 3. All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35-491.

SECTION 4. The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.


SECTION 5. This ordinance shall become effective immediately upon passage if passed by eight or more votes otherwise this ordinance shall become effective March 5, 2006.

PASSED AND APPROVED this 23rd day of February, 2006.


M A Y O R

PHIL HARDBERGER

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
for City Attorney

Agenda Voting Results

Name: Z-2.

Date: 02/23/06

Time: 04:52:04 PM

Vote Type: Multiple selection

Description: ZONING CASE #Z2006039 C (District 4): An Ordinance amending the zoning district boundary from "C-3" General Commercial District to "RM-4" (CD- Five Senior Dwellings) Residential Mixed District with a Conditional Use for Five Senior Dwellings on the West 45 feet of Lot 5 and that portion of Lot 18, Block 8, NCB 8777 located North of the New Laredo Highway (U. S. Highway 81), 1103 New Laredo Highway as requested by the City of San Antonio, Applicant, for Big Town Plaza, Owner(s). Staff recommends Approval and Zoning Commission recommendation is pending February 21, 2006 public hearing.

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1		x		
SHEILA D. MCNEIL	DISTRICT 2	Not present			
ROLAND GUTIERREZ	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
DELICIA HERRERA	DISTRICT 6		x		
ELENA K. GUAJARDO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
KEVIN A. WOLFF	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10		x		
MAYOR PHIL HARDBERGER	MAYOR		x		

CASE NO: Z2006039 CD

Staff and Zoning Commission Recommendation - City Council

Date: February 23, 2006

Zoning Commission Meeting Date: February 21, 2006

Council District: 4

Ferguson Map: 516 C2

Applicant:

Owner:

City of San Antonio (Development Service Department)

Big Town Plaza (Robert F. Shultz)

Zoning Request: From "C-3" General Commercial District to "RM-4" (CD- Five Detached Dwellings) Residential Mixed District with a Conditional Use for Five Detached Dwellings

The west 45 feet of Lot 5 and Lot 18, Block 8, NCB 8777

Property Location:

1103 New Laredo Highway

Between New Laredo Highway and McLaughlin Avenue

Proposal:

Five detached dwellings

Neighborhood Association

Quintana Community Neighborhood Association

Neighborhood Plan:

None

Traffic Impact Analysis

A Traffic Impact Analysis is not required.

Staff Recommendation:

Approval

The subject property is located on New Laredo Highway a major thoroughfare. The subject property is adjacent to "RM-4" Residential Mixed District and "C-2" Commercial District to the west with "C-3" General Commercial District to the east. The "RM-4" Residential Mixed District with a Conditional Use will allow the development of five detached dwellings. The "RM-4" Residential Mixed District is appropriate at this location and allow for the development of the Big Town Plaza Project. This case was initiated by the City of San Antonio in order to resolve a zoning verification letter error.

Zoning Commission Recommendation:

Pending February 21, 2006 Zoning Commission Hearing

CASE MANAGER : Pedro Vega 207-7980

VOTE

FOR	0
AGAINST	0
ABSTAIN	0
RECUSAL	0

